

ORDINANCE NO. 713 (FOR ADOPTION)

CITY OF ROHNERT PARK COUNCIL AGENDA ITEM TRANSMITTAL REPORT

Meeting Date: April 27, 2004
Department: Engineering
Submitted By: Toni Bertolero, City Engineer
(Name & Title)
Submittal Date: April 20, 2004
Agenda Title: Water Conservation Ordinance

Council:	X
Miscellaneous	
Communications	
Agenda 4/27/04	X
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4/21/04
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Requested Council Action: Second reading and adoption of the Ordinance Amending Chapter 13.62 Water Waste Regulations and Waive the Reading Thereof.

Summary: As a signatory to the Temporary Impairment MOU with Sonoma County Water Agency and other water contractors, the City is required to implement a water waste prohibition based on a model Water Waste Prohibition Ordinance. The City has codified its Water Waste Regulations under Chapter 13.62 of the Municipal Code but it is not consistent with the model ordinance recommended by the Sonoma County Water Agency and adopted by other water contractors. The proposed Ordinance will make Chapter 13.62 consistent with the model ordinance.

CITY MANAGER'S RECOMMENDATION: () Consent Item (X) Regular Time
(X) Approval () Public Hearing Required
() Not Recommended () Submitted with Comment
() Policy Determination by Council
() City Comments:

City Manager's Signature:

Paula P. Lewis

Date:

4/21/04

ORDINANCE NO. 713

**AN ORDINANCE AMENDING
CHAPTER 13.62 OF THE ROHNERT PARK MUNICIPAL CODE
PERTAINING TO WATER WASTE REGULATIONS**

The City Council of the City of Rohnert Park does ordain as follows:

SECTION 1. Chapter 13.62 "Water Waste Regulations" is hereby amended to read as follows:

Chapter 13.62 Water Waste Regulations

Sections:

- 13.62.010 Purpose.
- 13.62.020 Nonessential Uses.
- 13.62.030 Exempt Water Uses.
- 13.62.040 Special Exemptions.

13.62.010 Purpose.

The purpose of this chapter is to promote water conservation and the efficient use of potable water furnished by the City by eliminating intentional or unintentional water waste when a reasonable alternative solution is available, and by prohibiting use of equipment which is wasteful.

13.62.020 Nonessential Uses.

No customer of the City shall use or permit the use of potable water from the City for residential, commercial, institutional, industrial, agricultural, or other purpose for the following nonessential uses:

1. The washing of sidewalks, walkways, driveways, parking lots and other hard-surfaced areas by direct hosing, except as may be necessary to properly dispose of flammable or other dangerous liquids or substances, wash away spills that present a trip and fall hazard, or to reduce or eliminate materials dangerous to the public health and safety;
2. The escape of water through breaks or leaks within the customers plumbing or private distribution system for any substantial period of time within which such break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of seventy-two (72) hours after the customer discovers such a break or leak or receives notice from the City, is a reasonable time within which to correct such break or leak or, at a minimum, to stop the flow of water from such break or leak;
3. Irrigation in a manner or to an extent which allows excessive run off of water or unreasonable over-spray of the areas being watered. Every

customer shall have his water system under control at all times, to know the manner and extent of his water use and any run off, and to employ available alternatives to apply irrigation water in a reasonably efficient manner;

4. Washing cars, boats, trailers or other vehicles and machinery directly with a hose not equipped with a shutoff nozzle;
5. Water for non-recycling decorative water fountains;
6. Water for single pass evaporative cooling systems for air conditioning in all connections installed after the effective date of this ordinance, unless required for health or safety reasons;
7. Water for new non-recirculating conveyor car wash systems; and
8. Water for new non-recirculating industrial clothes washing systems.

13.62.030 Exempt Water Uses.

All water use associated with the operation and maintenance of fire suppression equipment or employed by the City for water quality flushing and sanitation purposes shall be exempt from the provisions of the chapter. Use of water supplied by a private well or from recycled water, grey water or rainwater utilization system is also exempt.

13.62.040 Special Exemptions.

Any customer of the City may make written application for a special exemption from the provisions of the chapter. Said application shall describe in detail why applicant believes a special exemption is justified.

1. The City Manager or his or her designee may grant variances for use of water otherwise prohibited by this section upon finding and determining that failure to do so would cause an emergency condition affecting the health, sanitation, fire protection or safety of the applicant or public; or, cause an unnecessary and undue hardship on applicant or public, including but not limited to, adverse economic impacts, such as loss of production or jobs.
2. The decision of the City Manager or his or her designee may be appealed to the City Council by submitting a written appeal to the City Clerk within fifteen (15) calendar days of the date of the decision. Upon granting any appeal, the City Council may impose any conditions it determines to be just and proper. Special exemptions granted by the City Council shall be documented in writing.

SECTION 2. Repeal of Conflicting Ordinances. All former Ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or of the Code hereby adopted are thereby repealed.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or

phrase thereof, irrespective of the fact that any one or more sections subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 4. Effective Date. This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law.

This ordinance was introduced on the 13th day of April, 2004 and

DULY AND REGULARLY ADOPTED by the City Council of the City of Rohnert Park this 27th day of April, 2004 by the following vote:

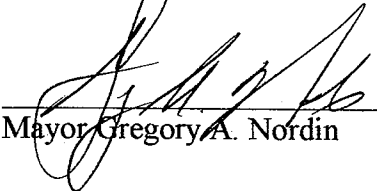
AYES: Five (5) Councilmembers Flores, Mackenzie, Spradlin, Vidak-Martinez and Mayor Nordin

NOES: None (0)

ABSENT: None (0)

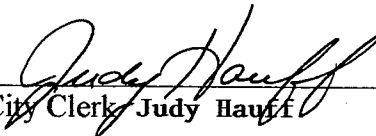
ASBSTAIN: None (0)

CITY OF ROHNERT PARK



Mayor Gregory A. Nordin

ATTEST:



City Clerk Judy Hauff



APPROVED AS TO FORM:



Interim City Attorney Gabrielle Whelan